

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 277

June 21, 1995, 8:11 p.m.
Page S-8788 Temp. Record

NATIONAL HIGHWAY SYSTEM/Mandate on Minors' Blood Alcohol Limit

SUBJECT: National Highway System Designation Act of 1995 . . . S. 440. Byrd amendment No. 1446.

ACTION: AMENDMENT AGREED TO, 64-36

SYNOPSIS: As reported, S. 440, the National Highway System Designation Act of 1995, will designate the National Highway System in accordance with the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). Failure to enact the bill by September 30, 1995, will result in all States losing their National Highway System and Interstate Maintenance funding.

The Byrd amendment would withhold 5 percent of a State's Federal highway construction funds in fiscal year (FY) 1999 and 10 percent thereafter if it did not have in effect a law by that year establishing that any individual under the age of 21 who had a blood alcohol concentration of .02 percent or greater when operating a motor vehicle would be considered to be driving while intoxicated or under the influence of alcohol.

Those favoring the amendment contended:

The Byrd amendment builds upon the 1984 successful Federal initiative to pressure States into enacting 21-year-old minimum drinking age laws. That initiative withheld 5 percent of Federal highway funds from any States without such a law in effect by the end of FY 1985, and 10 percent for each year thereafter. Before that initiative, only 18 States had a 21-year-old minimum drinking age. Now every State has that minimum. The National Highway Administration has estimated that since 1984 8,400 lives and \$1.8 billion have been saved by this initiative.

As successful as this program has been, it has a glaring loophole. Though no one under 21 may drink in any State, the blood alcohol content limits are the same for them as they are for people who may legally drink. Thus, a minor in a State with a blood alcohol limit of .1 will not receive a drunk driving citation if he or she has a blood alcohol level of .09. This fact makes it clear to minors that they are still able to get away with drinking some amount of alcohol and then driving. They should not be able to do so. Teenagers are inexperienced both with drinking and driving. Combining the two is more deadly than it is for an older person--of the

(See other side)

YEAS (64)			NAYS (36)			NOT VOTING (0)	
Republicans (22 or 41%)	Democrats (42 or 91%)		Republicans (32 or 59%)	Democrats (4 or 9%)		Republicans (0)	Democrats (0)
Abraham	Akaka	Inouye	Ashcroft	Jeffords	Feingold		
Chafee	Baucus	Johnston	Bennett	Kempthorne	Graham		
Cochran	Biden	Kennedy	Bond	Kyl	Leahy		
Cohen	Bingaman	Kerrey	Brown	Lott	Nunn		
D'Amato	Boxer	Kerry	Burns	Lugar			
DeWine	Bradley	Kohl	Campbell	Mack			
Domenici	Breaux	Lautenberg	Coats	Nickles			
Gorton	Bryan	Levin	Coverdell	Packwood			
Gramm	Bumpers	Lieberman	Craig	Pressler			
Hatch	Byrd	Mikulski	Dole	Roth			
Hatfield	Conrad	Moseley-Braun	Faircloth	Santorum			
Helms	Daschle	Moynihan	Frist	Shelby			
Hutchison	Dodd	Murray	Grams	Smith			
Kassebaum	Dorgan	Pell	Grassley	Snowe			
McCain	Exon	Pryor	Gregg	Thomas			
McConnell	Feinstein	Reid	Inhofe	Thompson			
Murkowski	Ford	Robb					
Simpson	Glenn	Rockefeller					
Specter	Harkin	Sarbanes					
Stevens	Heflin	Simon					
Thurmond	Hollings	Wellstone					
Warner							

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

fatal crashes involving teenagers, 40 percent are alcohol-related, and in one-third of those alcohol-related crashes the driver has a blood alcohol content of less than .09 percent. The Byrd amendment would establish a "zero tolerance" standard of .02 percent. No State currently has such a standard, but every State should. By setting a limit of .02, any minor who drank even a tiny amount of alcohol would be considered legally drunk. This standard will save lives. We urge Senators, therefore, to vote in favor of the Byrd amendment.

No arguments were expressed in opposition to the amendment.